

**STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT**

IN THE MATTER OF: SYNERGY OIL, LLC. and)	
ROBERT FALCO and)	
TONY PISTILLI, and their partners, members, officers)	No. 1400001
and directors, agents, employees, affiliates, successors and assigns)	

TEMPORARY ORDER OF PROHIBITION

TO RESPONDENTS:

Synergy Oil, LLC.
1201 Dove Street
Unit 475
Newport Beach, California 92660

Robert Falco
1201 Dove Street
Unit 475
Newport Beach, California 92660

Tony Pistilli
1201 Dove Street
Unit 475
Newport Beach, California 92660

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, who has been fully advised in the premises by the staff of the Securities Department, Office of the Secretary of State, herein find:

1. Respondents Synergy Oil, LLC, ("Synergy") Robert Falco and Tony Pistilli (together "Respondents") have a last known address of 1201 Dove Street, Unit 475, Newport Beach, California 92660.
2. Respondents Robert Falco ("Falco") and Tony Pistilli ("Pistilli") are controlling members of Synergy.
3. In February 2011 Respondents "cold-called" an Illinois resident ("Investor") and offer to sell to Investor "units of a working interest" in oil operations.

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4. On February 8, 2011 Investor wired \$25,000 to Respondents for the purchase of "units of a working interest" in oil operations.
5. Investor was promised that his investment would be used in oil well drilling and oil well operations, and that he would receive distribution payments regularly, depending on production levels.
6. The activities described above in paragraphs 3-5 constitute the offer and sale of an investment contracts and is therefore a security as those terms are defined in Sections 2.1, 2.5 and 2.5a of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act").

FRAUD – FAILURE TO DISCLOSE

7. On or about October 29, 1996, prior to offering the investment contract to Investor, Respondent Pistelli was convicted of felony conspiracy to commit wire fraud and was sentenced to 18 months in Federal prison.
8. On or about February 23, 1998, prior to offering the investment contract to Investor, Respondent Pistelli was convicted of felony mail fraud and was sentenced to 9 months in prison.
9. Respondents failed to disclose to Investor, prior to the investment, that Respondent Pistelli had the convictions set forth above.
10. The criminal history information set forth in paragraphs 7 and 8 above represent material facts a reasonable investor needed to know before investing – but did not know.
11. To date the Investor has received no return on his investment.
12. Section 12.A of the Act provides, *inter alia*, that it shall be a violation of the provisions of the Act for any person, "to offer or sell any security except in accordance with the provisions of the Act."
13. Section 12.G of the Act provides, *inter alia*, that it shall be a violation of the provisions of the Act for any person, "to obtain money or property through the sale of securities by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstance under which they were made, not misleading."
14. Respondents were required, under the Act, to disclose to Investor the information set forth in paragraphs 7 & 8 above.

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15. By virtue of the foregoing, Respondents **Synergy Oil, LLC, Robert Falco and Tony Pistelli** violated Sections 12.A and 12.G of the Act and will violate the Act again if they make further security offers, or if they make any sales of securities in the State of Illinois.
16. The aforementioned findings are based upon credible evidence.
17. That Section 11.F (2) of the Act provides, *inter alia*, that the Secretary of State may temporarily prohibit the rendering of investment advice or the offer or sale of securities by any person, without notice and prior hearing, if the Secretary of State shall deem it necessary to prevent an imminent violation of the Act or to prevent losses to investors that will occur as a result of prior violations of the Act.
18. That the entry of this Temporary Order of Prohibition prohibiting Respondents, and their partners, officers and directors, agents, employees, affiliates, successors and assigns, from rendering investment advice or from offering or selling securities in the State of Illinois is in the public interest and for the protection of the investing public and is consistent with the purposes intended by the provisions of the Act.

NOW THEREFORE IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Respondents **Synergy Oil, LLC, Robert Falco and Tony Pistelli** and their partners, members, officers and directors, agents, employees, affiliates, successors and assigns, are temporarily **PROHIBITED** from offering or selling securities, or as acting as dealers of securities, or as acting as salespersons of securities in or from this State until the further Order of the Secretary of State.

NOTICE is hereby given that Respondents may request a hearing on this matter by transmitting such request in writing to the Director, Illinois Securities Department, 69 West Washington Street, Suite 1220, Chicago, Illinois 60602. Such request must be made within thirty (30) calendar days of the date of entry of the Temporary Order of Prohibition. Upon receipt of a request for hearing, a hearing will be scheduled as soon as reasonably practicable. A request for hearing will not stop the effectiveness of this Temporary Order of Prohibition and will extend the effectiveness of this Temporary Order of Prohibition for sixty (60) days from the date the hearing request is received by the Department.

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FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) CALENDAR DAYS AFTER ENTRY OF THIS TEMPORARY ORDER OF PROHIBITION SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND SHALL CONSTITUTE SUFFICIENT BASIS TO MAKE THIS TEMPORARY ORDER OF PROHIBITION FINAL.

Dated: This 27th day of October 2015.

A handwritten signature in dark ink, appearing to read "Jesse White", followed by a stylized flourish or initial.

JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State:
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